

SDNY (Rev. 10/2006) Pro Hac Vice Motion to Admit Counsel

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

JEFFREY O. SWOPE, Plaintiff,

- against -

FIDUCIARY ASSET Defendant.  
 MANAGEMENT, L.L.C.,

07 cv 6921 (BSJ)

**MOTION TO ADMIT COUNSEL**  
**PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Matthew A. Katz a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Stanley Schroeder  
 Firm Name: The Lowenbaum Partnership  
 Address: 222 South Central Avenue, Suite 901  
 City/State/Zip: Clayton, Missouri 63105  
 Phone Number: (314) 746-4835  
 Fax Number: (314) 746-4848

Stanley Schroeder is a member in good standing of the Bar of the State of Missouri

There are no pending disciplinary proceeding against Stanley Schroeder in any State or Federal court.

Dated: 8/21/07

City, State: New York, New York

Respectfully submitted,

Sponsor's Matthew Katz  
 SDNY Bar MK 4252  
 Firm Name: Schindler Cohen & Hochman  
 Address: 100 Wall Street  
 City/State/Zip: New York, NY 10005  
 Phone Number: (212) 277 - 6300  
 Fax Number: (212) 277 - 6333

SCHINDLER COHEN & HOCHMAN LLP  
 Jonathan L. Hochman (JH 7072)  
 Matthew A. Katz (MK 4252)  
 100 Wall Street, 15th Floor  
 New York, New York 10005  
*Attorneys for Fiduciary Asset Management, L.L.C.*

**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK**

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	:	
JEFFREY O. SWOPE,	:	
	:	
Plaintiff,	:	Case No. 07-CV-6921 (BSJ)
	:	
vs.	:	<b>AFFIDAVIT OF MATTHEW</b>
	:	<b>A. KATZ IN SUPPORT OF</b>
FIDUCIARY ASSET MANAGEMENT, L.L.C.,	:	<b>MOTION TO ADMIT</b>
	:	<b>STANLEY G. SCHROEDER</b>
Defendant.	:	<b><u>PRO HAC VICE</u></b>
	:	<b>(ECF Case)</b>
	:	
-----	X	

**STATE OF NEW YORK    )**  
                                   **: ss.:**  
**COUNTY OF NEW YORK)**

MATTHEW A. KATZ, being duly sworn, deposes and says:

1. I am associated with the law firm of Schindler Cohen & Hochman LLP, which is located at 100 Wall Street, 15<sup>th</sup> Floor, New York, New York 10005. Schindler Cohen & Hochman LLP is counsel for Defendant Fiduciary Asset Management, L.L.C. ("FAMCO") in the above-captioned action.

2. I am duly admitted to practice law before the courts of the Southern District of New York and I am a member in good standing of both the Bar of the State of New York and the Southern District of New York.

3. This affidavit is being submitted in support of FAMCO's motion to admit Stanley G. Schroeder *pro hac vice*.

4. Mr. Schroeder is a member of the law firm of The Lowenbaum Partnership, L.L.C., with an office at 222 South Central Avenue, Suite 901, Clayton, Missouri 63105. Mr. Schroeder is admitted to and is a member in good standing of the Bar of the State of Missouri and has not been disciplined by any court. A Certificate of Good Standing from the Supreme Court of Missouri is attached hereto as Exhibit A.

5. Mr. Schroeder is familiar with the facts and issues raised in this case insofar as they relate to FAMCO.

6. I respectfully request that Mr. Schroeder be permitted to appear as advocate and counsel, along with Schindler Cohen & Hochman LLP, on behalf of FAMCO in this action.

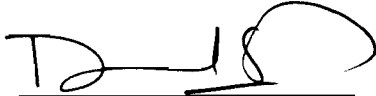
7. A proposed order for the admission of Mr. Schroeder *pro hac vice* is attached hereto.

Dated: New York, New York  
August 21, 2007

**DANIEL E. SHAW**  
**Notary Public, State of New York**  
**No. 02SH6125837**  
**Qualified in New York County**  
**Commission Expires April 25, 2009**

  
\_\_\_\_\_  
Matthew A. Katz

Sworn to before me this  
21<sup>th</sup> day of August, 2007

  
\_\_\_\_\_  
Notary Public

*The Supreme Court of Missouri*



*Certificate of Admission as an  
Attorney at Law*

I, Thomas F. Simon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on September 13, 1980,

***Stanley Gerard Schroeder***

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the Supreme Court of Missouri at my office in Jefferson City, Missouri, this 3<sup>rd</sup> day of August 2007.

A handwritten signature in black ink, appearing to read "Thomas F. Simon", is written over a horizontal line.

Clerk of the Supreme Court of Missouri

SCHINDLER COHEN & HOCHMAN LLP  
 Jonathan L. Hochman (JH 7072)  
 Matthew A. Katz (MK 4252)  
 100 Wall Street, 15th Floor  
 New York, New York 10005  
*Attorneys for Fiduciary Asset Management, L.L.C.*

**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK**

-----	X	
	:	
JEFFREY O. SWOPE,	:	
	:	
Plaintiff,	:	Case No. 07-CV-6921 (BSJ)
	:	
vs.	:	<b>CERTIFICATE OF SERVICE</b>
	:	
FIDUCIARY ASSET MANAGEMENT, L.L.C.,	:	( <i>ECF Case</i> )
	:	
Defendant.	:	
-----	X	

I, Matthew A. Katz, hereby certify that I caused a copy of Fiduciary Asset Management, L.L.C.'s Motion to Admit Stanley G. Schroeder *Pro Hac Vice*, along with the Affidavit of Matthew A. Katz in support thereof, the Certificate of Good Standing of Stanley G. Schroeder, and the proposed Order for Admission *Pro Hac Vice* to be served on the 21<sup>th</sup> day of August by DHL Express mail upon:

Todd A. Higgins, Esq.  
 Crosby & Higgins LLP  
 500 Fifth Avenue, Suite 1410  
 New York, NY 10110

Mr. Higgins represented in a telephone conversation with me that he is authorized to accept service on behalf of Jeffrey O. Swope at the aforesaid address with respect to the above-captioned action.



Matthew A. Katz

SDNY (Rev. 10/2006) Order for Admission Pro Hac Vice on Written Motion

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JEFFREY O. SWOPE, Plaintiff,

07 cv 6921 (BSJ)

- against -

FIDUCIARY ASSET Defendant.  
MANAGEMENT, L.L.C.,

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**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN MOTION**

Upon the motion of Matthew A. Katz attorney for Fiduciary Asset Management L.L.C.  
and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: Stanley Schroeder  
Firm Name: The Lowenbaum Partnership  
Address: 222 South Central Avenue, Suite 901  
City/State/Zip: Clayton, Missouri 63105  
Telephone/Fax: (314) 746-4835  
Email Address: sschroeder@lowenbaumlaw.com

is admitted to practice pro hac vice as counsel for Fiduciary Asset Management L.L.C. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:  
City, State:

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United States District/Magistrate Judge

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FOR OFFICE USE ONLY: FEE PAID \$

SDNY RECEIPT#

SDNY Form Web 10/2006